

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

OBRA LEE

PLAINTIFF

V.

CIVIL ACTION NO.1:04CV288-WAP-JAD

BUTCH HOWARD, ET AL

DEFENDANTS

**FINAL JUDGMENT**

On consideration of the file and records in this action, and on Defendant's Motion for Summary Judgment, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated November 28, 2005, was on that date duly served by first class mail upon plaintiff and counsel of record for the defendants; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated November 28, 2005, be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the Court.
2. That Defendants' Motion for Summary Judgment be and hereby is granted and this action be and hereby is dismissed with prejudice.

THIS the 14<sup>th</sup> day of March, A.D., 2006.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE